

# WKNU FM

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July 8, 1993

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Chairman James H. Quello  
Federal communication Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Howard B. Dolgoff, File No. BPH-911223MR, MM  
Docket No. 93-178, Miramar Beach, Florida, FM  
Proceedings

Dear Chairman Quello:

I am the licensee of WKNU(FM), a Class A station on FM Channel 292A licensed to Brewton, Alabama. I have learned that in a Hearing Designation Order released June 28, 1993, in MM Docket No. 93-178, despite timely objection made by the competing Carter applicants, the Commission's staff has accepted an application by Howard B. Dolgoff for a new 6KW directional FM station on Channel 292A in Miramar Beach, Florida, that directly and adversely affects WKNU by depriving it of its reciprocal right pursuant to MM Docket No. 88-375 to increase power to 6kW.

The Miramar Beach applications are for a channel allocation sought before the Commission's relevant actions in MM Docket No. 88-375. As a result of the new short spacing requirements adopted in MM Docket No. 88-375, the Miramar Beach allocation is short-spaced to WKNU, but applicants were "grandfathered" under amended Section 73.213 (c) (1) of the Rules provided that in relevant directions they proposed not more than 3kW effective radiated power.

The Carter applicants complied with the grandfathering limitation to 3kW by proposing 3kW non-directional facilities. However, Dolgoff submitted a 6kW directional proposal that, while it proposed the grandfathered 3kW effective radiated power in an arc toward WKNU, in an adjacent area where more than 3kW will be emitted, it will cause prohibited overlap of Dolgoff's protected 60dBu contour by WKNU's projected 40 dBu interference contour at 6kW. The effect of this is to create a new interference area contrary to the public interest and, if Dolgoff's application were granted, to deprive WKNU of it's reciprocal right to increase power to 6kW.

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Please be advised that WKNU strongly objects to the staff action. I hereby call upon the Commission to reject Mr. Dolgoff's application as patently in violation of the Commission's rules.

Respectfully submitted,

